

REMARKS

In response to the Office Action dated 12 September 2000, claims 1-8 were amended. It is believed that the amendments clarify the patentable invention without adding new subject matter. Claims 1-8 are pending in the case. Reexamination and reconsideration of the claims as requested is respectfully requested.

In paragraphs 2 of the Office Action, claims 1-3 and 5-8 were rejected under 35 U.S.C. § 103 as being unpatentable over Tayloe et al. in view of Hayes et al. According to the Office Action, Tayloe discloses the Applicant's invention substantially as claimed. However, according to the Office Action, Tayloe fails to teach antenna equipment for receiving signals from a certain mobile station simultaneously by at least two antenna beams directed in different directions. Nevertheless, according to the Office Action, Hayes discloses receiving signals by a certain mobile station simultaneously by at least two antenna beams directed in different directions.

Therefore, according to the Office Action, it would have obvious to one of ordinary skill in the art at the time of Applicant's invention to provide a cellular radiotelephone diagnostic system as taught by Tayloe in conjunction with a communication device with a interferometers taught by Hayes.

However, In paragraphs 4 page five of the Office Action, claim 4 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully traverses these rejections. Applicant respectfully submits that the cited references, taken alone or in combination, do not disclose, teach or

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suggest the invention. Applicant respectfully submits that there are patentable differences between the cited references and Applicant's invention as recited in the claims. Applicant's invention differs from the cited reference in at least the following respects.

Taylor fails to teach or suggest that the distance and the direction to the mobile station should be used for making a handover decision. Taylor merely teaches a solution where several base stations must cooperate in order to determine the direction to a mobile station. (col. 4, lines 35-40). Such a solution is naturally much more complicated than Applicant's invention.

Hayes fails to remedy the deficiencies of Taylor. Hayes fails to teach or suggest that the distance to a mobile station could be determined based on a timing advance, and that the distance and the direction to a mobile station should be used for making handover decisions. Hayes merely discloses, for example, an interferometer used in helicopters (page 7, second paragraph) and not to a mobile communication system. Further Hayes teaches that it is necessary to use a phase comparator in order to determine the direction of the arrival for a signal (page 5, last paragraph).

Therefore, Applicant's invention is patentable over the cited references.

Rejected independent claim 5 recites one or more feature generally similar to those of claim 1 discussed above. Accordingly, for similar reasons as discussed above, independent claim 5 is believed to be patentable over the cited reference.

Because claims 2-4 and 6-8, which depend directly or indirectly from claims 1, and 5, respectively, include the features recited in the independent claims as well as additional features, Applicant respectfully submits that claims 2-4 and 6-8 are also

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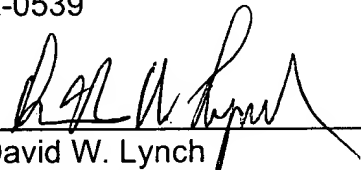
patentably distinct over the cited references. Nevertheless, Applicant is not conceding the correctness of the Examiner's rejection with respect to such dependent claims and reserves the right to make additional arguments if necessary.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

Respectfully submitted,

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